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c-8.100

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

WRIT PETITION NO. 1820 OF 2004

Division Bench

PETITIONER :

Dr. S.G. Reddy University, Raipur, A
Private University established,
incorporated and notified under
Chhattisgarh Nizi Kshetra Vishwa
Vidyalaya (Sthapana Aur
Viniyaman) Adhiniyam, 2002,
E-Preet Bihar Kirthi House, Jalvihar
Colony, Raipur (C.G.).

P. R. No. 1847/04
Presented by Shri. S. Pandey
dated 1.1.04

- Versus -

RESPONDENTS :

1. State of Chhattisgarh,
Through: Secretary,
Department of Higher Education,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.).
2. Regulatory Commission, Constituted
under the Chhattisgarh Nizi Kshetra
Vishwa Vidyalaya (Sthapana Aur
Viniyaman) Adhiniyam, 2002 (No.2
of 2002), C/o Secretary, Department
of Higher Education, Mantralaya,
D.K.S. Bhawan, Raipur (C.G.).
3. University Grants Commission,
Through: Its Chairman, Bahadur Shah
Zafar Marg, New Delhi.

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18/1/04
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLES 226 / 227 OF THE
CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 1820/09 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>DIVISION BENCH:</u> <u>HON'BLE SHRI A.K. PATNAIK, CJ</u> <u>& HON'BLE SHRI SUNIL KUAMR SINHA, J.</u> <u>25.06.2005:</u> Heard Mr. S.R.J. Jaiswal, learned counsel for the petitioner, Mr. P.S. Koshy, learned Dy. Advocate General for the State of Chhattisgarh and Mr. Vinay Harit, Sr. Advocate with Mr. A. Swarnkar, learned counsel for respondent No.3. In this writ petition the petitioner has challenged the constitutional validity and vires of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2004 by which the provisions of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002 are sought to be amended. By a judgment of the Supreme Court dated 11.02.2005 delivered in Writ Petition (Civil) No.19 of 2004 (Professor Yashpal & Others vs. State of Chhattisgarh & Others), the Supreme Court has declared the provisions of Sections 5 & 6 of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002 as ultra vires the Constitution and has also quashed the notifications issued by the State Government in the Gazette in the purported exercise of the power under Section 5 of the aforesaid Act notifying the universities and also held that the universities shall cease to exist. In view of the said judgment of the Supreme Court dated 11.02.2005, this writ petition does not survive and accordingly the same is dismissed.	
Subbu	Sd/- Chief Justice	Sd/- Sunil Kumar Sinha Judge

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